

Senate Study Bill 1089 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

1 An Act relating to the commission of child endangerment by
2 allowing a sex offender access to a child or minor, and
3 providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 726.6, subsection 1, paragraph h, Code
2 2017, is amended to read as follows:

3 h. Knowingly allows a person custody or control of, or
4 unsupervised access to a child or a minor after knowing the
5 person is required to register or is on the sex offender
6 registry as a sex offender under [chapter 692A](#). However,
7 this paragraph does not apply to a person who is a parent or
8 guardian of a child or a minor, and who is required to register
9 as a sex offender, ~~or to a person who is married to and living~~
10 ~~with a person required to register as a sex offender.~~

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to the commission of child endangerment by
15 allowing a sex offender access to a child or minor.

16 Under current law, a person who is the parent, guardian,
17 or a person having custody or control over a child or a minor
18 under the age of 18 with a mental or physical disability, or
19 a person who is a member of the household in which a child
20 or such a minor resides, commits child endangerment when the
21 person knowingly allows a sex offender custody or control of,
22 or unsupervised access to, a child or a minor after knowing the
23 sex offender is required to register or is on the sex offender
24 registry. However, there is an exception providing that the
25 person does not commit child endangerment if the sex offender
26 allowed such custody, control, or access is married to and
27 living with the person. This bill eliminates that exception.

28 The bill also specifies that the above-mentioned
29 circumstance does not apply to a person who is a parent or
30 guardian of a child or minor, and who is required to register
31 as a sex offender.

32 The criminal penalties for a person who commits child
33 endangerment range from an aggravated misdemeanor to a class
34 "B" felony punishable by no more than 50 years of confinement.